

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

RKEY-7PC

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on _____

Signature _____

Typed or printed
name _____

Application Number

10/644,383

Filed

8/19/2003

First Named Inventor

Eckerd, George

Art Unit

2456

Examiner

Bates, Kevin T.

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

/ess20649/

Signature

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

Eugene S. Stephens

Typed or printed name

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Registration number 20,649

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Telephone number

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attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 _____

March 15, 2010

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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*Total of 1 forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

March 15, 2010

Serial No. 10/644,383
Applicant: George Eckerdt
Filed: 08-19-2003
Title: TANGIBLE SECURITY ASSET MANAGEMENT SYSTEM AND
METHODS THEREOF
Art Unit: 2456
Examiner: Bates, Kevin T.
Confirmation Number: 6216
Attorney Docket No.: RKEY-7PC

HONORABLE COMMISSIONER OF PATENTS

Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

The office action incorrectly asserts that Walker suggests claim features missing from Wallace. Walker mentions web servers, but clearly locates these remotely from an asset control system. This also means that with no web server co-located with an asset control system, it is not possible for these to share an I/O unit, as claimed.

Walker makes it clear in the following ways that no web server is co-located with an asset control system, and therefore, no web server and asset control system can share the claimed I/O unit.

- In Column 3, Lines 28-30, Walker explains that processing module 144 communicates via a network communication port with a central server that is not shown in the Walker drawings and is not co-located with an asset control system.
- At Column 3, Lines 55-60, Walker explains the retrieval of information via the internet or directly from a server that is not co-located with an asset control system, because it communicates via a network.
- At Column 3, Lines 60-68, Walker suggests a programmed computer receiving input and exchanging information “**with a remotely located server.**”
- At Column 4, Lines 28-31, Walker explains that vending machine 100 may be in communication with a remote computer, such as a server, which clearly does not envision co-location of a web server with an asset control system.

- These indications from Walker that any web server is remote from an asset control system makes it impossible for the web server and the asset control system to share an I/O unit as claimed.
- Walker's many mentions of web servers consistently suggest that they are not co-located with an asset control system, and therefore cannot share an I/O unit with an asset control system.

These mistakes in the interpretation of Walker warrant withdrawal of the final rejection. The Wallace reference admittedly is insufficient to reject the claims, and the Walker reference does not suggest what the final action asserts. For any question on this, the examiner is invited to contact applicant's attorney.

Respectfully Submitted,
Key Systems, Inc.

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